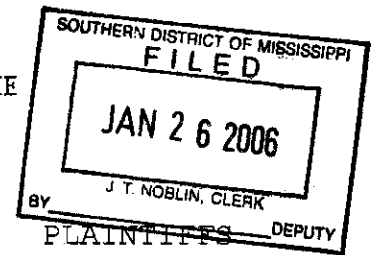


IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF MISSISSIPPI,  
JACKSON DIVISION



EARL WAYNE SMITH, JR. AND  
KATHERINE SMITH

VS.

CIVIL ACTION NO: 3:04CV737LN

CENTEX HOME EQUITY COMPANY, LLC  
d/b/a CENTEX HOME EQUITY CORPORATION,  
SOUTHERN MORTGAGE FINANCIAL GROUP, LLC  
d/b/a SOUTHERN MORTGAGE COMPANY, JIM  
HEAD AND JOHN DOES 1-10

DEFENDANTS

AGREED ORDER OF DISMISSAL WITH PREJUDICE

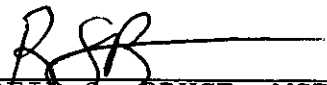
COMES NOW THIS COURT to rule on the Agreed Motion ore tenus to dismiss with prejudice the claims of Plaintiffs', Earl Wayne Smith and Katherine Smith, as to Defendant, Jim Head, in the above cause of action.


IT IS, THEREFORE, ORDERED that the claims of Plaintiffs, Earl Wayne Smith and Katherine Smith, as to Defendant, Jim Head, are hereby dismissed with prejudice with each party to bear their own costs.

SO ORDERED, this the 26<sup>th</sup> day of January, 2006.

  
\_\_\_\_\_  
U.S. MAGISTRATE

AGREED AS TO SUBSTANCE AND FORM:

  
\_\_\_\_\_  
REID S. BRUCE, MSB# 101006  
ATTORNEY FOR PLAINTIFFS

  
\_\_\_\_\_  
STEPHEN MACIONI  
ATTORNEY FOR DEFENDANT, JIM HEAD